

CITY COUNCIL, CITY OF LODI  
CITY HALL COUNCIL CHAMBERS  
NOVEMBER 3, 1982

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. on Wednesday, November 3, 1982 in the City Hall Council Chambers.

ROLL CALL

Present: Council Member - Murphy, Olson, Pinkerton,  
Snider, and Reid (Mayor)

Absent: Council Member - None

Also Present: City Manager Glaves, Public Works Director  
Ronsko, City Attorney Stein, and City Clerk  
Reimche

INVOCATION            The invocation was given by Reverend Jim Holm, Vinewood  
Community Church

PLEDGE                    The Pledge of Allegiance was led by Mayor Reid

PRESENTATIONS      The Mayor read and presented the following Proclamations:

- a) Proclamation expressing this Community's appreciation to retiring District Attorney Joseph H. Baker
- b) Proclamation proclaiming "Marching Band Week" - November 1 - 7, 1982
- c) Proclamation proclaiming "Family Week" - Week of November 21, 1982

REPORTS OF THE  
CITY MANAGER

CONSENT CALENDAR

In accordance with report and recommendation of the City Manager, the following actions hereby set forth between asterisks, on motion of Council Member Pinkerton, Murphy second, were approved by the Council.

\* \* \* \* \*

CLAIMS 10 200 CLAIMS WERE APPROVED IN THE AMOUNT OF \$493,781.38

MINUTES                    The minutes of October 6, 1982 were approved as written.

City Manager Graves presented the following bids which had been received for Laboratory Expansion - White Slough Water Pollution Control Plant:

<u>BIDDER</u>	<u>BASE BID</u>
C. Edward Jones & Co., Inc.	\$ 84,664
Nomellini Construction	91,888
Ted A. Molfino, Builder	92,411
Modern Engineering	94,700
Norman Chambers & Sons, Inc.	99,892
Richard A. McGee Contractor	106,058

AWARD - CONTRACT  
FOR LABORATORY  
EXPANSION -  
W.S.W.P.C.F

Following recommendation of the City Manager, Council adopted the following resolution:

RES. NO.  
82-123

RESOLUTION NO. 82-123

RESOLUTION AWARDING THE CONTRACT FOR "LABORATORY EXPANSION - WHITE SLOUGH WATER POLLUTION CONTROL FACILITY" TO C. EDWARD JONES AND COMPANY, THE LOW BIDDER, IN THE AMOUNT OF \$84,664, THE BASE BID.

Continued November 3, 1982

AGENDA ITEM e

REMOVED FROM Agenda Item "e" - 1D - Award - "Tractor/Loader" was removed  
 CONSENT CALENDAR from the Consent Calendar.

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1128  
 BIDS REJECTED  
 FOR TRACTOR/  
 LOADER

Following introduction of the matter by Staff in which Council was apprised of the inadequacies of the bids received and questions being posed by Council, on motion of Councilman Pinkerton, Murphy second, Council rejected all bids that had been received for the Tractor/Loader. Further, on motion of Mayor Pro Tempore Murphy, Olson second, Council authorized the Purchasing Agent to readvertise for bids thereon.

PURCHASING  
 AGENT AUTHORIZED  
 TO READVERTISE  
 FOR BIDS

PUBLIC HEARINGS  
 CONSIDERATION OF  
 DECLARATION OF  
 IMPACTION DATED  
 9/7/82 BY LUSD

Notice thereof having been published and an affidavit of publication being on file in the office of the City Clerk, Mayor Reid called for the continued Public Hearing regarding the L.U.S.D. Declaration of Impaction dated September 7, 1982.

1143  
 The matter was introduced by City Manager Graves. Councilman Pinkerton suggested that Mayor Reid and Council Member Snider could have a conflict of interest inasmuch as their wives are teachers for the Lodi Unified School District. Both Mayor Reid and Council Member Snider stepped down from their Council seats thereby abstaining from the discussion and voting on this matter. Mayor Pro Tempore Murphy chaired this portion of the meeting.

Councilman Pinkerton then asked City Attorney Stein to give a report of Proposition 1 and the impact of its recent passage.

Following Mr. Stein's report, the hearing was opened to the floor. Speaking on behalf of the Lodi Unified School District was Facility Planner, Mary Joan Starr.

Ms. Starr asked that the "bedroom tax" be continued for 1982-83 and gave an overview of the 1982-83 Declaration of Impaction Report. Ms. Starr further requested that the fee be raised to \$260.00 per bedroom on residential units.

Also addressing the Council on the matter was John Vatsula, President of the Board of Education.

A very lengthy discussion followed with questions being directed to Ms. Starr, Mr. Vatsula, and to Staff.

Ms. Starr and Mr. Vatsula attempted to point out that it would be a couple of years until the benefits of Proposition 1 would have any affect on the problem of Impaction.

Additional discussion followed.

There being no other persons in the audience wishing to speak on the matter, the public portion of the hearing was closed.

Councilman Pinkerton indicated that it is his belief that those persons who will be paying bedroom tax really are being discriminated against.

Following additional discussion with questions being directed to Staff and to the City Attorney, Council, on motion of Councilman Pinkerton determined that the School District had not used "reasonable methods for mitigating conditions of overcrowding" i.e. the use of available bond or state loan revenues to the extent authorized by law as set forth in City of Lodi Ordinance No. 1129 and therefore determined not to collect the bedroom tax effective this date. The motion was seconded by Mayor Pro Tempore Murphy and carried by the following

continued November 3, 1982

vote:

Ayes: Council Members - Pinkerton and Murphy  
 Noes: Council Members - Olson  
 Abstain: Council Members - Snider and Reid  
 Absent: Council Members - None

Following this action, the City Attorney was directed to check with the Fair Political Practices Commission to ascertain if in fact there is a Conflict of Interest by Council Members whose spouses are employed by the Lodi Unified School District.

RECESS

A recess was declared and the City Council reconvened at approximately 9:20 p.m.

PLANNING  
 COMMISSION

City Manager Graves gave the following report of the Planning Commission meeting of October 25, 1982:

The Planning Commission -

1. Recommended that the following amendments be made to the Specific Plan of Lower Sacramento Road between Kettleman Lane and Lodi Avenue:
  - a) that Tokay Street be shown on the west side of Lower Sacramento Road with a right-of-way width of 55 feet;
  - b) that a statement be added to the plan that indicates the approved center median openings at this time are Kettleman Lane, Vine Street and Lodi Avenue;
  - c) that the sidewalk dimension of 10 feet be revised to 5 feet in residential areas and 7 feet in commercial, institutional and reverse frontage single-family residential;
  - d) that the following statement be added to note No. 3 on the Specific Plan: "Fencing at right-of-way will be adjacent to only reverse frontage single-family residential development;"
  - e) that "Denied Access" in the legend be changed to read "Denied Vehicular Access"; and
  - f) that the following comment be added to the Specific Plan: "Fencing and corner cutoffs at intersections shall be approved by the Public Works Department."

PROPOSED AMENDMENTS TO SPECIFIC PLAN OF LOWER SACRAMENTO ROAD SET FOR PUBLIC HEARING

On motion of Mayor Pro Tempore Murphy, Snider second, Council set the heretofore listed matter for Public Hearing on November 17, 1982 at 8:00 p.m.

The Planning Commission also -

ITEMS OF  
 INTEREST

1. Approved the request of Rodney B. Rosa' for Use Permit No. U-82-25 to permit the operation of an electronic games center at 305 West Lockeford Street, (i.e. northwest corner of Lockeford Street and Pleasant Avenue) in an area zoned c-2, General Commercial.
2. Recommended that the San Joaquin County Planning Commission approve the request of Raymond Greer Construction Company on behalf of Allstate Packers to rezone property from GA-40, general agriculture and M-1, limited industrial to M-2, heavy industrial, located on the north side of East Pine Street, east of California Traction Company right-of-way (i.3. 6011 East Pine Street).

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## COMMUNICATIONS

## CITY CLERK

City Clerk Reimche presented an Order Instituting Investigation for the purpose of establishing a list for the fiscal year 1983-84 of existing and proposed crossings at grade of city streets, county roads or state highways most urgently in need of separation, or projects effecting the elimination of grade crossings by removal or relocation of tracks, or existing separations in need of alteration or reconstruction as contemplated by Sections 2452 of the Streets and Highways Code.

PUC ORDER  
INSTITUTING  
INVESTIGATIONPUC NOTICE  
REGARDING PT&T  
APPLICATION

City Clerk Reimche presented a Notice of the Pacific Telephone and Telegraph Company's application to increase and reduce rates and establish new rates and of a public witness hearing.

ABC LICENSE  
APPLICATIONS

City Clerk Reimche presented the following applications for Alcoholic Beverage Licenses:

- a) USA Petroleum Corporation  
USA #65  
2500 West Lodi Avenue  
Lodi, CA 95240  
Off sale beer and wine
- b) Cherokee Liquors and Deli  
James A. McCarty  
220 North Cherokee Lane  
Lodi, CA 95240  
Off Sale General

COMMENTS BY  
CITY COUNCIL  
MEMBERS

Mayor Reid, with the concurrence of the City Council, on motion of Mayor Pro Tempore Murphy, Snider second, made the following appointments to the Transportation Productivity Committee, which committee will be making recommendations prior to the November 17, 1982 Unmet Transit Needs Hearings in Lodi:

TRANSPORTATION  
PRODUCTIVITY  
COMMITTEE  
MEMBERS NAMED

Management - Assistant City Manager Jerry Glenn

Public - Shirley Klein - Loel Center

Labor - Rae Margrave, City Cab Company or her designee

RES. URGING  
LIMITATION ON  
INDIVIDUAL AND  
SPECIAL INTEREST  
GROUP CAMPAIGN  
CONTRIBUTIONS  
AND URGING  
REGULATIONS  
BARING THE  
USE OF "HIT  
MAIL" DURING  
THE ELECTION  
PROCESS

Following introduction of the matter by Council Member Randy Snider, Council, on motion of Mayor Pro Tempore Murphy, Reid second, adopted Resolution No. 82-124. Resolution of the City Council of the City of Lodi urging limitation on individual and special interest group campaign contributions and urging regulations baring the use of "Hit Mail" during the election process. The City Clerk was directed to forward copies of the subject resolution to the League of California Cities for consideration in that body's resolution process, to FPCC and to Federal and State legislators.

## RES. NO. 82-124

COMMENTS BY THE  
PUBLIC ON  
NON AGENDA ITEMS

City Manager Graves was asked to schedule a Shirtsleeve Session (Informal Informational Meeting) to hear presentation by Mr. John Cope, 1012 Laurel Avenue, Lodi, regarding Lodi Lake.

## REGULAR CALENDAR

FIRM OF RALPH  
ANDERSON AND  
ASSOCIATES RE-  
TAINED TO PERFORM  
CITY CLASSIFICA-  
TION STUDY

Following introduction of the matter by City Manager Graves, Council, on motion of Councilman Pinkerton, Olson second, authorized retaining the firm of Ralph Anderson and Associates to perform a Classification Study.

Continued November 3, 1982

32.6-  
PUBLIC HEARING Following introduction of the matter by City Attorney Stein,  
SET TO CONSIDER Council, on motion of Councilman Pinkerton, Murphy second,  
PROPOSED ORD- set a Public Hearing for 8:00 p.m. November 17, 1982 to  
INANCE LEGALIZ- consider a proposed Ordinance legalizing Bingo in the City of  
ING BINGO IN THE Lodi as authorized by State Law.  
CITY OF LODI

CLOSED SESSION At approximately 9:30 p.m., Council met in a Closed Session  
to discuss matters of possible litigation. The audience was  
apprised that the meeting would adjourn immediately following  
the Closed Session.

Attest:

*Alice M. Reimche*  
ALICE M. REIMCHE  
City Clerk